

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

MAR 25 2008  
902-645852

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	X
VITALE AML CONSULTANTS, INC.,	:
	:
Plaintiff,	Case No. 1:08-cv-1315
	(RMB)(RLE)
v.	:
PROMONTORY FINANCIAL GROUP, LLC;	<b>NOTICE OF MOTION</b>
PROMONTORY FORENSIC SOLUTIONS,	<b>TO ADMIT COUNSEL</b>
LLC; HANI SAMAAN; PROMINENT IT	<b><i>PRO HAC VICE</i></b>
SOLUTIONS, INC.; RONALD ROSE; AML	
CONSULTING SERVICES, INC.; and JOHN	ECF Case
DOES (1-10),	
Defendants.	X

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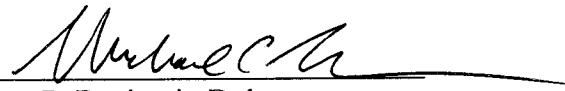
PLEASE TAKE NOTICE that, upon the annexed Declarations of Anthony Herman,  
Joshua A. Doan and Michael C. Nicholson, and the exhibits attached thereto, Defendants  
Promontory Financial Group, LLC and Promontory Forensics Solutions, LLC will move this  
Court, before the Honorable Ronald L. Ellis, at the United States Courthouse, 500 Pearl Street,  
Room 20A, New York, New York as soon as counsel may be heard, for an Order pursuant to  
Local Civil Rule 1.3(c) of this Court admitting Anthony Herman and Joshua A. Doan *pro hac*  
*vice* for all purposes in connection with the above-captioned action, and for such other and

U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
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further relief as the Court may deem just and proper.

Dated: New York, New York  
March 24, 2008

COVINGTON & BURLING LLP

By:   
P. Benjamin Duke  
Michael C. Nicholson

The New York Times Building  
620 Eighth Avenue  
New York, New York 10018-1405  
(212) 841-1000  
[pduke@cov.com](mailto:pduke@cov.com)  
[mcnicholson@cov.com](mailto:mcnicholson@cov.com)

Anthony Herman  
Joshua A. Doan  
COVINGTON & BURLING LLP  
1201 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004-2401  
(202) 662-6000  
[aherman@cov.com](mailto:aherman@cov.com)  
[jdoan@cov.com](mailto:jdoan@cov.com)

*Attorneys for Defendants*  
*Promontory Financial Group, LLC, and*  
*Promontory Forensics Solutions, LLC*

TO:

Dale M. Cendali, Esq. Claudia Ray, Esq. O'Melveny & Myers LLP Times Square Tower 7 Times Square New York, NY 10036 dcendali@omm.com cray@omm.com  <i>Attorneys for Plaintiff</i>	Jay B. Itkowitz, Esq. Itkowitz & Harwood 305 Broadway New York, New York 10007 jitkowitz@itkowitz.com  <i>Attorneys for Defendants Hani Samaan, Prominent IT Solutions, Inc., Ronald Rose, and AML Consulting Services, Inc.</i>
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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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	X
VITALE AML CONSULTANTS, INC.,	:
Plaintiff,	Case No. 1:08-cv-1315
v.	(RMB)(RLE)
PROMONTORY FINANCIAL GROUP, LLC; PROMONTORY FORENSIC SOLUTIONS, LLC; HANI SAMAAN; PROMINENT IT SOLUTIONS, INC.; RONALD ROSE; AML CONSULTING SERVICES, INC.; and JOHN DOES (1-10),	<b>DECLARATION OF MICHAEL C. NICHOLSON</b>
Defendants.	ECF Case
	X

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Michael C. Nicholson declares as follows pursuant to 28 U.S.C. § 1746:

1. I am special counsel with the firm of Covington & Burling LLP, counsel for Promontory Financial Group, LLC and Promontory Forensics Solutions, LLC (collectively, “Promontory”) in the above-captioned action. I was admitted to practice before the U.S. District Court for the Southern District of New York on August 16, 1994 and remain in good standing therein. I submit this declaration in support of the Promontory’s Motion to Admit Counsel *Pro Hac Vice* in connection with this action, pursuant to Local Civil Rule 1.3(c) of this Court.

2. I am familiar with Applicants Anthony Herman and Joshua A. Doan, as they are colleagues with Covington & Burling LLP, practicing out of Covington’s Washington, D.C. office. I believe the Applicants to be attorneys of good character, competence, and experience.

3. Accompanying this declaration are the Declarations of Anthony Herman and Joshua A. Doan, describing their experience and their familiarity with the Federal Rules of Civil Procedure, the Federal Rules of Criminal Procedure, the Federal Rules of Evidence, and the Local Rules of the United States District Court for the Southern and Eastern Districts of New York.

4. For the foregoing reasons, I respectfully request that the motion be granted. For the Court's convenience, a copy of a proposed order granting Promontory's motion is attached hereto as Exhibit A.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 24th day of March, 2008, in New York, New York.



Michael C. Nicholson

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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	X
VITALE AML CONSULTANTS, INC.,	:
	:
Plaintiff,	:
	:
v.	:
	:
PROMONTORY FINANCIAL GROUP, LLC;	:
PROMONTORY FORENSIC SOLUTIONS,	:
LLC; HANI SAMAAN; PROMINENT IT	:
SOLUTIONS, INC.; RONALD ROSE; AML	:
CONSULTING SERVICES, INC.; and JOHN	:
DOES (1-10),	:
	:
Defendants.	:
	:
	X

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This matter having been brought before the Court by Defendants Promontory Financial Group, LLC and Promontory Forensics Solutions, LLC, through counsel Covington & Burling LLP, by motion pursuant to Local Civil Rule 1.3(c) for an order admitting Anthony Herman and Joshua A. Doan *pro hac vice*, on notice to all parties hereto, and the Court having reviewed and considered the papers filed in support of this motion, and in opposition thereto, if any, it is hereby

ORDERED that Anthony Herman and Joshua A. Doan be and hereby are admitted *pro hac vice* in connection with this action and they shall abide by the provisions of the Local Rules of this Court in all respects and be subject to the disciplinary jurisdiction of the Court in accordance with Local Civil Rule 1.5.

SO ORDERED:

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U.S.M.J.

CERTIFICATE OF SERVICE

I hereby certify that I caused true and correct copies of the foregoing **Notice of Motion to Admit Counsel Pro Hac Vice** dated March 24, 2008, with supporting **Declarations of Anthony Herman and Joshua A. Doan**, both dated March 21, 2008, and **Declaration of Michael C. Nicholson**, dated March 24, 2008, to be served via electronic mail, pursuant to the agreement of counsel for the parties, upon the following counsel of record in the within action (08-CV-1315 (RMB) (RLE)), on this 24th day of March, 2008:

Dale M. Cendali, Esq.  
Claudia Ray, Esq.  
O'Melveny & Myers LLP  
Times Square Tower  
7 Times Square  
New York, NY 10036  
[dcendali@omm.com](mailto:dcendali@omm.com)  
[cray@omm.com](mailto:cray@omm.com)

*Attorneys for Plaintiff*

Jay B. Itkowitz, Esq.  
Itkowitz & Harwood  
305 Broadway  
New York, New York 10007  
[jitkowitz@itkowitz.com](mailto:jitkowitz@itkowitz.com)

*Attorneys for Defendants Hani Samaan,  
Prominent IT Solutions, Inc.,  
Ronald Rose, and  
AML Consulting Services, Inc.*



Michael C. Nicholson

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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	X
VITALE AML CONSULTANTS, INC.,	:
Plaintiff,	Case No. 1:08-cv-1315 (RMB)
v.	:
PROMONTORY FINANCIAL GROUP, LLC;	:
PROMONTORY FORENSIC SOLUTIONS,	:
LLC; HANI SAMAAN; PROMINENT IT	:
SOLUTIONS, INC.; RONALD ROSE; AML	:
CONSULTING SERVICES, INC.; and JOHN	:
DOES (1-10),	ECF Case
Defendants.	:
	X

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Joshua A. Doan declares as follows pursuant to 28 U.S.C. § 1746:

1. I am an associate with the firm of Covington & Burling LLP, resident of the Commonwealth of Virginia, and counsel for Defendants, Promontory Financial Group, LLC and Promontory Forensics Solutions, LLC (together, “Promontory”) in the above-captioned matter.

2. I submit this Declaration in support of Promontory’s Motion to Admit Counsel *pro hac vice* in connection with this action pursuant to Local Civil Rule 1.3(c) of this Court.

3. I have been admitted to practice in the District of Columbia since January 10, 2005, and I am currently in good standing in the Bar of the District of Columbia. A certificate of good standing from the District of Columbia Court of Appeals is annexed hereto as

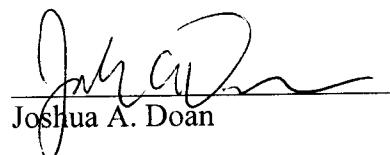
Exhibit 1. I was admitted to practice in the Commonwealth of Massachusetts on April 20, 2004, and I am currently an active member in good standing in the Bar of the Commonwealth of Massachusetts. A certificate of good standing from the Commonwealth of Massachusetts is annexed hereto as Exhibit 2.

4. I have read and am familiar with (a) the provisions of the Judicial Code which pertain to the jurisdiction of, and practice in, the United States District Courts; (b) the Federal Rules of Civil Procedure; (c) the Federal Rules of Criminal Procedure; (d) the Federal Rules of Evidence; and (e) the Local Rules of the United States District Court for the Southern and Eastern Districts of New York.

5. I will faithfully adhere to all rules applicable to my conduct in connection with any activities of this Court.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 21st day of March, 2008 in Washington, D.C.



The image shows a handwritten signature in black ink, appearing to read "Joshua A. Doan". Below the signature, the name "Joshua A. Doan" is printed in a smaller, standard font.



District of Columbia Court of Appeals  
Committee on Admissions  
500 Indiana Avenue, N.W. — Room 4200  
Washington, D.C. 20001  
202 / 879-2710

I, GARLAND PINKSTON, JR., Clerk of the District of Columbia Court of Appeals, do hereby certify that

JOSHUA A. DOAN

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was on the 10<sup>th</sup> day of JANUARY, 2005

duly qualified and admitted as an attorney and counselor and entitled to practice before this Court and is, on the date indicated below, an active member in good standing of this Bar.

In Testimony Whereof, I have hereunto subscribed my name and affixed the seal of this Court at the City of Washington, D.C., on March 12, 2008.

GARLAND PINKSTON, JR., CLERK

By: G.J. Clegg  
Deputy Clerk

**COMMONWEALTH OF MASSACHUSETTS**

SUFFOLK, SS.

BE IT REMEMBERED, that at the Supreme Judicial Court holden at Boston  
within and for said County of Suffolk, on the **twentieth**  
day of **April** A.D. **2004**, said Court being the highest  
Court of Record in said Commonwealth:

Joshua A. Doan

being found duly qualified in that behalf, and having taken and subscribed  
the oaths required by law, was admitted to practice as an Attorney, and, by  
virtue thereof, as a Counsellor at Law, in any of the Courts of the said  
Commonwealth: that said Attorney is at present a member of the Bar, and  
is in good standing according to the records of this Court\*.

In testimony whereof, I have hereunto set my hand and affixed the  
 seal of said Court, this **tenth** day of **March**  
in the year of our Lord **two thousand and eight**.

  
**MAURA S. DOYLE, Clerk**

\* Records of private discipline, if any, such as a private reprimand imposed by the Board of Bar Overseers or by any court, are not covered by this certification.

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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VITALE AML CONSULTANTS, INC.,  v.  PROMONTORY FINANCIAL GROUP, LLC; PROMONTORY FORENSIC SOLUTIONS, LLC; HANI SAMAAN; PROMINENT IT SOLUTIONS, INC.; RONALD ROSE; AML CONSULTING SERVICES, INC.; and JOHN DOES (1-10),  Defendants.	X : : Case No. 1:08-cv-1315 (RMB) : <b>DECLARATION OF ANTHONY HERMAN</b> : ECF Case : X
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Anthony Herman declares as follows pursuant to 28 U.S.C. § 1746:

1. I am a partner with the firm of Covington & Burling LLP, resident of the District of Columbia, and counsel for Defendants Promontory Financial Group, LLC and Promontory Forensics Solutions, LLC (together, "Promontory") in the above-captioned matter.

2. I submit this Declaration in support of Promontory's Motion to Admit Counsel *pro hac vice* in connection with this action pursuant to Local Civil Rule 1.3(c) of this Court.

3. I have been admitted to practice in the District of Columbia since July 23 1990, and I am currently in good standing in the Bar of the District of Columbia. A certificate of good standing from the District of Columbia Court of Appeals is annexed hereto as Exhibit 1. I was admitted to practice in the Commonwealth of Pennsylvania on June 13, 1989, and I have

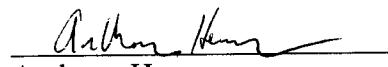
been an inactive member of the Bar of the Commonwealth of Pennsylvania since July 1, 1991. A certification of inactive status (in lieu of certificate of good standing ) from the Commonwealth of Pennsylvania is annexed hereto as Exhibit 2.

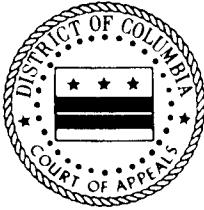
4. I have read and am familiar with (a) the provisions of the Judicial Code which pertain to the jurisdiction of, and practice in, the United States District Courts; (b) the Federal Rules of Civil Procedure; (c) the Federal Rules of Criminal Procedure; (d) the Federal Rules of Evidence; and (e) the Local Rules of the United States District Court for the Southern and Eastern Districts of New York.

5. I will faithfully adhere to all rules applicable to my conduct in connection with any activities of this Court.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 21st day of March, 2008 in Washington, D.C.

  
\_\_\_\_\_  
Anthony Herman



District of Columbia Court of Appeals  
Committee on Admissions  
500 Indiana Avenue, N.W. — Room 4200  
Washington, D.C. 20001  
202 / 879-2710

I, GARLAND PINKSTON, JR., Clerk of the District of Columbia Court of Appeals, do hereby certify that

ANTHONY HERMAN

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was on the 23<sup>RD</sup> day of JULY, 1990  
duly qualified and admitted as an attorney and counselor and  
entitled to practice before this Court and is, on the date  
indicated below, an active member in good standing of this Bar.

In Testimony Whereof, I have  
hereunto subscribed my name  
and affixed the seal of this  
Court at the City of  
Washington, D.C., on March  
12, 2008.

GARLAND PINKSTON, JR., CLERK

By: Anthony H. Pinkston  
Deputy Clerk



THE DISCIPLINARY BOARD  
OF THE  
SUPREME COURT OF PENNSYLVANIA

First Floor  
Two Lemoyne Drive  
Lemoyne, PA 17043-1226  
(717) 731-7073

**CERTIFICATION OF INACTIVE STATUS**

*In lieu of Certificate of Good Standing*

*For*

**ANTHONY HERMAN**  
*PA Bar Number 55351*

I, Suzanne E. Price, as the Attorney Registrar for the Disciplinary Board of the Supreme Court of Pennsylvania, hereby confirm that Anthony Herman was admitted as an Attorney by the Supreme Court of Pennsylvania to the bar of the courts of the Commonwealth of Pennsylvania on June 13, 1989.

Mr. Herman is currently registered as "Voluntarily Inactive", having assumed said status as of July 1, 1991.

Dated this 17<sup>th</sup> day of March, 2008

By: Suzanne E. Price  
Suzanne E. Price  
Attorney Registrar

